

PROSKAUER ROSE LLP
JOSHUA J. POLLACK, Cal. Bar No. 215922
2049 Century Park East, Suite 3200
Los Angeles, California 90067-3206
Telephone: (310) 557-2900
Facsimile: (310) 557-2193
E-mail: jpollack@proskauer.com

Attorneys for Plaintiff
DONALD J. TRUMP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DONALD J. TRUMP

Plaintiff,

v.

RON BAKER, ELLIOT KRAMER,
TRUMP'S BEST COFFEE, GLOBLE
VIVA, INC.

Defendants.

Case No. C07 00378 SI

**STIPULATION FOR ENTRY OF
FINAL JUDGMENT AND
DISMISSAL PURSUANT TO
FRCP 41(a)(1)**

**[Filed Concurrently with Final
Judgment, Order And Decree Re
Permanent Injunction]**

**STIPULATION FOR ENTRY OF FINAL JUDGMENT AND DISMISSAL
PURSUANT TO FRCP 41(A)(1)**

1 All of the parties to this action have agreed to settle their differences. As part
2 of their settlement, they have entered into a SETTLEMENT AGREEMENT that
3 resolves the claims asserted in this action and have agreed to entry of FINAL
4 JUDGMENT. Therefore,

5 IT IS HEREBY STIPULATED AND AGREED by and among plaintiff
6 Donald J. Trump ("Plaintiff"), through his counsel of record, and defendants Ron
7 Baker, Elliot Kramer, Trump's Best Coffee, and Globle Viva, Inc. (collectively,
8 "Defendants") as follows:

9 1. By this stipulation, Defendants, and each of them, hereby appear in this
10 action and agree to be subject to this Court's jurisdiction.

11 2. Plaintiff shall have judgment against Defendants, and each of them, in
12 the form attached as Exhibit A hereto (the "Judgment").

13 3. The Judgment shall be final and nonappealable immediately upon
14 entry.

15 4. This action shall be dismissed in its entirety, except as otherwise
16 provided in the Judgment, pursuant to Rule 41(a)(1) of the Federal Rules of Civil
17 Procedure.

18 //

19 //

20

21

22

23

24

25

26

27

28

RB *[Signature]* 5.4.07

1 5. Plaintiff and Defendants shall each bear their own attorney's fees and
2 costs incurred in connection with this action.

3
4 IT IS SO STIPULATED.


5
6 Dated: ^{June 21} April __, 2007

PROSKAUER ROSE LLP

7 By: 
8 JOSHUA J. POLLACK
9 Attorneys for Plaintiff

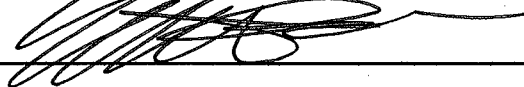
10 Dated: April __, 2007

RON BAKER

11 

12 Dated: April __, 2007

ELLIOT KRAMER

13 

14
15 Dated: April __, 2007

TRUMP'S BEST COFFEE, INC.

16 _____
17 By: _____
18 Its: _____

19 Dated: April __, 2007

GLOBLE VIVA, INC.

20 _____
21 By: _____
22 Its: _____

RB *5.4.07*

1 5. Plaintiff and Defendants shall each bear their own attorney's fees and
2 costs incurred in connection with this action.

3
4 IT IS SO STIPULATED.

5
6 Dated: April __, 2007

PROSKAUER ROSE LLP

7
8 By: _____

JOSHUA J. POLLACK

9 Attorneys for Plaintiff

10 Dated: April __, 2007

RON BAKER

11
12 Dated: April __, 2007

ELLIOT KRAMER

13
14
15 Dated: ^{May}~~April~~ 16, 2007

TRUMP'S BEST COFFEE, INC.

16
17 By: Ron Baker

18 Its: CEO

19 Dated: ^{May}~~April~~ 16, 2007

GLOBLE VIVA, INC.

20
21 By: Ron Baker

22 Its: CEO

EXHIBIT A

PROSKAUER ROSE LLP
JOSHUA J. POLLACK, Cal. Bar No. 215922
2049 Century Park East, Suite 3200
Los Angeles, California 90067-3206
Telephone: (310) 557-2900
Facsimile: (310) 557-2193
E-mail: jpollack@proskauer.com

Attorneys for Plaintiff
DONALD J. TRUMP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DONALD J. TRUMP

Plaintiff,

v.

RON BAKER, ELLIOT KRAMER,
TRUMP'S BEST COFFEE, GLOBLE
VIVA, INC.

Defendants.

Case No. C07 00378 SI

**FINAL JUDGMENT, ORDER
AND DECREE RE PERMANENT
INJUNCTION**

**[Filed Concurrently with the
Stipulation for Entry of Final
Judgment and Dismissal Pursuant
to FRCP 41(a)(1)]**

RS 4/16 5-4-07

Pursuant to the stipulation of the parties, it is hereby ADJUDGED,
ORDERED, and DECREED that:

1. Defendants Ron Baker, Elliot Kramer, Trump's Best Coffee, and
Globe Viva, Inc. (collectively, "Defendants"), and each of them, and each of their
officers, employees, attorneys, agents, and all persons in active concert or
participation with them (hereinafter "the Enjoined Parties"), are immediately,
permanently and forever enjoined from all of the following:

(a) Using the name TRUMP, or any variation thereof, in any
combination of lower or upper case letters, alone or in combination with any other
term, and in any font or design:

(i) on or in connection with any product or service or the
promotion thereof; or

(ii) as any other false designation of origin or false description
or representation or any other thing calculated or likely to cause confusion or
mistake in the minds of the public or to deceive the public into the belief that
Defendants' products or services originate with or are associated with Donald J.
Trump ("Plaintiff").

(b) Representing by any means whatsoever, directly or indirectly,
that any products sold or services rendered by Defendants are associated with,
sponsored by, and/or connected or affiliated with Plaintiff, or from otherwise taking
any action likely to cause confusion, mistake or deception on the part of purchasers
as to the origin or sponsorship of Defendants' products or services.

(c) Competing unfairly with Plaintiff in any manner.

(d) Owning, operating, retaining, or maintaining in any way the
Internet sites accessible through the URLs www.TrumpsBestCoffee.com,
www.TrumpBest.com, www.MeetTrump.com, and
www.ImBeingSuedByTheDonald.com, or any other Internet site containing the
words "Trump" or "Donald" in the URL.

1 (e) Using any words, names, styles, designs, titles, or marks that
2 create a likelihood of injury to the business reputation of Plaintiff or a likelihood of
3 dilution of Plaintiff's mark and the goodwill associated therewith. And,

4 (f) Using any trade practices whatsoever that tend to unfairly
5 compete with or injure Plaintiff's business and goodwill pertaining thereto.

6 2. The terms of the permanent injunction set forth in paragraph 1 above
7 extend to all entities owned or controlled by the Enjoined Parties, as well as to the
8 Enjoined Parties' assigns, successors, affiliates, and related organizations under
9 common ownership or control.

10 3. The rights and benefits of the permanent injunction set forth in
11 paragraph 1 above extend to and are enforceable by Plaintiff's successors and
12 assigns.

13 Except as hereby ADJUDGED, ORDERED and DECREED, the above-
14 captioned action is hereby dismissed in its entirety pursuant to FRCP Rule 41(a)(1).

15 IT IS SO ADJUDGED, ORDERED and DECREED.

16
17 Dated: _____, 2007

18 THE HONORABLE SUSAN ILLSTON,
19 UNITED STATES DISTRICT COURT JUDGE
20
21
22
23
24
25
26
27
28